

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**KRISTIE VANHUIS, INDIVIDUALLY,  
AND AS NEXT FRIEND FOR  
CXXXX FXXXXXXX, A MINOR,  
Plaintiff,**

**VS.**

**STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,  
Defendant.**

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**CIVIL ACTION NO.: 6:16cv00001**

**JURY DEMANDED**

**NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY**, and files this its Notice of Removal pursuant to 28 U.S.C. §§ 1441 and 1446, and, in support thereof, would show the Court the following:

1. On or about December 3, 2015, Plaintiff filed her Original Petition in the District Court of Cherokee County, Texas, Cause No. 2015-12-0784 naming State Farm Mutual Automobile Insurance Company as a Defendant. Defendant was served with process on or about December 7, 2015. Defendant appeared and answered on or about December 23, 2015. Plaintiff alleges claims against Defendant arising out of a contract of insurance.

2. Plaintiff is a resident and citizen of the State of Texas.

3. Defendant State Farm Mutual Automobile Insurance Company is an Illinois corporation with its principal place of business in Bloomington, Illinois. Complete diversity of citizenship exists between the plaintiff and the defendant in this case.

4. Pursuant to Local Rule CV-81, Defendants provide the following information:

**a. List of Parties:**

Plaintiff:

Kristie Vanhuis, Individually, and as Next Friend for Cxxxx Fxxxxxxx,  
a Minor

Defendants:

State Farm Mutual Automobile Insurance Company

**b. Attachments:**

1. Civil Cover Sheet
2. Certified Copy of State Court Docket Sheet (Ex. A)
3. Plaintiff's Original Petition(Ex. B)
4. Defendant State Farm Mutual Automobile Insurance Company's Original Answer (Ex. C)
5. Process issued and served (Ex. D)
6. Jury Demand (Ex. E)

**c. List of Attorneys to date:**

Counsel for Plaintiff:

J. R. "Rusty" Phenix  
State Bar No. 15908300  
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PHENIX & CRUMP  
118 South Main Street  
P. O. Drawer 1005  
Henderson, TX 75653-1005  
903.657.3595  
903.657.3598 Facsimile

Counsel for Defendant:

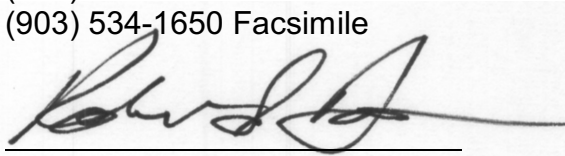
Robert S. Davis  
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- d. A jury demand was made in the State Court action by Defendant and as part of its removal, Defendant makes demand for a jury.
- e. This case is being removed from the District Court of Cherokee County, Texas, 2<sup>nd</sup> Judicial District, 135 South Main, 2<sup>nd</sup> Floor, Rusk, Texas 75785.

Respectfully submitted,

**FLOWERS DAVIS, P.L.L.C.**  
1021 ESE Loop 323, Suite 200  
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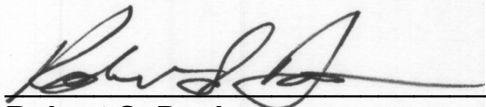
**ROBERT S. DAVIS**  
State Bar No. 05544200  
[rsd@flowersdavis.com](mailto:rsd@flowersdavis.com)

**ATTORNEYS FOR DEFENDANT,  
STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing instrument was served upon all counsel of record in the above entitled and numbered cause on January 4, 2016, in the following manner:

  X   Via ECF

  
Robert S. Davis